

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI**

JAY ASHCROFT, in his official capacity as )  
Secretary of State for the State of Missouri, )

JOHN THURSTON, in his official capacity )  
as Secretary of State for the State of Arkansas, )

KIMBERLY BELL, in her official capacity as )  
County Clerk for McDonald County, Missouri, )

and )

KURT BAHR, in his official capacity as )  
Director of Elections for St. Charles County, )  
Missouri, )

Plaintiffs, )

v. )

No. 4:24-CV-01062-SEP

JOSEPH BIDEN, in his official capacity as )  
President of the United States, )

TOM VILSACK, in his official capacity as )  
Secretary of the Department of Agriculture, )

GINA M. RAIMANDO, in her official capacity )  
as Secretary of the Department of Commerce, )

LLOYD J. AUSTIN, III, in his official capacity )  
as Secretary of the Department of Defense, )

MIGUEL CARDONA, in his official capacity )  
as Secretary of the Department of Education, )

JENNIFER GRANHOLM, in her official )  
capacity as Secretary of the Department of )  
Energy, )

XAVIER BECERRA, in his official capacity as )  
Secretary of the Department of Health and )  
Human Services, )

ALEJANDRO MAYORKAS, in his official )  
capacity as Secretary of the Department )  
Homeland Security, )

ADRIANNE TODMAN, in her official capacity )

as Secretary of the Department of Housing and )  
Urban Development, )  
)  
DEB HAALAND, in her official capacity as )  
Secretary of the Department of Interior )  
)  
MERRICK GARLAND, in his official capacity )  
as Attorney General of the United, and head of )  
the Department of Justice, )  
)  
JULIE SU, in her official capacity as Secretary )  
of the Department of Labor, )  
)  
ANTONY BLINKEN, in his official capacity as )  
Secretary of the Department of State )  
)  
PETE BUTTIGIEG, in his official capacity as )  
Secretary of the Department of Transportation, )  
)  
JANET YELLEN, in her official capacity as )  
Secretary of the Department of the Treasury, )  
)  
DENIS McDONOUGH, in his official capacity )  
as Secretary of the Department of Veterans )  
Affairs, )  
)  
)  
Defendants. )

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**NOTICE OF CONSENT TO CONSOLIDATION  
AND TO CORRECT CAPTION**

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The State of Missouri, by and through the Missouri Attorney General Andrew Bailey, Plaintiff in the associated Case No. 4:24-CV-01063-RWS (*State of Missouri, ex rel. Andrew Bailey, et al. v. Joseph Biden, et al.*), consents to the consolidation of that action into the instant action (Case No. 4:24-cv-01062-SEP), pursuant to Rule 42 of the Federal Rules of Civil Procedure and local Rule 4.03, and to correct the caption in accordance with Missouri law. In support, the State of Missouri, states as follows:

1. *Ashcroft v. Biden*, 4:24-cv-01062-SEP, was filed July 31, 2024. (ECF Doc. #1). This is a complaint for declaratory and injunctive relief asking this Court to declare President Joe Biden's

Executive Order 14019 (EO 14019) to be unconstitutional and unlawful and to enjoin the defendant federal agencies from engaging in those activities directed by EO 14019.

2. *Missouri v. Biden*, 4:24-cv-01063-RWS, raises nearly identical challenges to EO 14019, but is the lower numbered case. Plaintiffs in the instant case – *Ashcroft v. Biden*, 4:24-cv-01062-SEP – then moved to consolidate the cases. (ECF Doc. #3).

3. Federal Rule of Civil Procedure 42(a) provides for consolidation if the “actions before the court involve common questions of law or fact.” Plaintiffs in *Missouri v. Biden*, 4:24-cv-01063-RWS, consent to consolidation as the matters fall within the purview of Rule 42(a) provided, as set forth below, that the caption of the case is corrected consistent with Missouri law.

4. Rule 4.03 of the Local Rules of the Eastern District of Missouri further provides that “consolidation of related cases” are to the “lowest-numbered cases.”

5. Contemporaneous with the filing of this consent to the motion to consolidate, Plaintiff is filing a notice in *Missouri v. Biden*, Case No. 4:24-cv-01063- RWS.

6. In addition, Missouri law provides that in matters such as these,

The attorney general shall institute, in the name and on the behalf of the state, all civil suits and other proceedings at law or in equity requisite or necessary to protect the rights and interests of the state ....

Mo. Rev. Stat. § 27.060 (2020).

7. As such, once consolidated, and by agreement of the plaintiffs in the instant case, the caption should be styled as follow:

*State of Missouri, ex rel. Andrew Bailey, et al. v. Joseph Biden, et al.*, 4:24-cv-01062-SEP.

Now therefore, Plaintiff the State of Missouri, hereby gives notice of its consent to the consolidation and to correct the caption of the case in accordance with Missouri law.

Respectfully submitted,

**ANDREW BAILEY**  
Missouri Attorney General

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